

REMARKS

1. Introduction

Applicant has amended claims 2, 8, 11, 19 and 27. Claims 1-30 are presently pending in this application. Reexamination and reconsideration is hereby respectfully requested.

2. Claim Rejection Under 35 U.S.C. § 102

Claims 1, 4-10, 19-21, 23, 28 and 30 are rejected under 35 USC 102(e) as being anticipated by *Wheeler et al.* (US Pub. No. 2002/0055932), hereinafter “*Wheeler*.” Applicant respectfully traverses this rejection.

Claim 1 recites a method of managing information for a plurality of computers in a distributed network, and further recites the step of “collecting original data ***related to each computer*** ...” (emphasis added). *Wheeler* cannot meet these limitations. *Wheeler* makes no disclosure of the “databases” disclosed therein as being part of a “distributed network” as positively recited. Moreover, *Wheeler* does not disclose that the data stored in the databases are “related to each computer”—in reference to the computers in the “plurality of computers in the distributed network”. *Wheeler* at most disclose a few examples where the data in the databases relating to people, suspects and offenders (see Figures 2 and 5 of *Wheeler*). *Wheeler* therefore does not disclose that the data in the databases are related to “each computer” at all.

Moreover, claim 1 further recites the step of “generating an index table including index data for each computer wherein the index data is configured (i) to identify at least a portion of the ***contents of the original data*** ... and (ii) to facilitate access to the databases ***over the distributed network***.” (emphasis added). *Wheeler* cannot meet these limitations. At most, *Wheeler* discloses a “search index database” (see Figure 2) and “similarity comparison indices database” (see Figure 4). However, neither the “search index database” nor the “similarity comparison indices database” in *Wheeler* are configured to either “identify at least a portion of the contents of the original data ...” or to “facilitate access to the databases over the distributed network,” all as positively recited in claim 1. In particular, *Wheeler* at most teaches the use of index databases for storing mapping indices that map the nodes or the structure of two databases (or data structures), which does not deal with, and thus cannot satisfy, the limitation “contents of the original data.” In addition, *Wheeler* makes no

disclosure of any mechanism to facilitate access to the database(s) “over the distributed network.”

Claim 1 further recites the step of “scanning at least one of the index tables *to select databases that match a user query*.” *Wheeler* does not select databases that match a user query, as positively recited. *Wheeler* at most disclose a system for comparing the structure of two databases and providing index databases for holding the resulting mapping indices. In *Wheeler*, the mapping indices in the index databases are not used *to select a database*, as recited, but rather is used to establish queries suitable for searching the content of all the databases. Databases are not selected. The examples in *Wheeler* presume that data extraction occurs from all the databases (*i.e.*, as opposed to using the index tables to select those databases that match a user query).

Claim 1 further recites the step of “accessing the *selected databases* to retrieve the original data” While *Wheeler* contemplates accessing databases (see Figure 2), *Wheeler* does not access “selected databases” since *Wheeler* does not contemplate any selection of databases at all, as respectfully submitted above.

For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 1.

Claims 4-7 depend from claim 1 (directly or indirectly) and therefore contain all the limitations thereof. Thus, for at least the same reasons set forth above in connection with claim 1, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 4-7.

Applicant provides the following additional reasons in support of the patentability of claims 4-7. Claim 4 recites the step of “producing a summarized data table for the computers.” In *Wheeler* the data stored in the databases is not “related to the computers” in the first instance. Accordingly, the limitation “for the computers” is not satisfied. Moreover, the mention in *Wheeler* of the term “summary data entity extraction” refers to how the data is selected from the result sets for delivery back to the client application; it does not teach the production of a summarized data table.

Claim 5 recites “...wherein said *plurality of computers* are organized in a tree-style hierarchy, the step of producing the summarized data table includes the substep of: *condensing original data* from databases that are lower in the hierarchy to produce the

summarized data and ***passing the summarized data upstream*** to databases for storage therein.” (emphasis added). At most, *Wheeler* disclose a hierarchical structure of data within a data entity, such as a record in a database, ***not*** a hierarchical structure as to the computers, as positively recited in claim 5. Moreover, *Wheeler* does not disclose any condensing operation of data within a hierarchy, much less the movement of data from a lower level node to a higher level node (*i.e.*, as recited, “passing the summarized data upstream to databases...”).

Claim 6 recites in part “accessing a summarized data table at a base level in the hierarchy ... thereby avoiding access to one or more databases lower in the hierarchy.” As set forth above, *Wheeler* does not disclose the step of “condensing original data” and accordingly, also cannot satisfy the step of “accessing a summarized data table” as positively recited. Moreover, *Wheeler* teaches a system that involves searching of each of the databases involved in the query. *Wheeler* does not disclose any mechanism for avoiding access to databases through any mechanism at all, much less through the claimed approach of providing a summarized data table “at a base level in the hierarchy”.

Claim 7 recites “wherein the summarized data table comprises at least one of application resource information and application usage information.” The system in *Wheeler* does not describe processing of the content of the databases per se, but rather involves matching up and comparing database structures. Accordingly, *Wheeler* cannot meet this limitation.

Claim 8 includes certain of the same or substantially similar recitations, in apparatus form, as discussed above in connection with claim 1 (“acquire and store original data related to a respective computer in a respective storage database”; “said index data configured (i) to identify at least a portion of the contents of said original data, and (ii) to facilitate access to said storage databases over the distributed network,” “a console module configured to select storage databases for access thereto responsive to a user query,” “said console being further operative to use said index data to access said selected storage databases”). Therefore, for at least the same reasons set forth above in connection with claim 1, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 8.

Claims 9-10 depend from claim 8 and therefore contain of the limitations thereof. Thus, for at least the same reasons set forth above in connection with claim 8, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 9-10.

Applicant provides the following additional reasons in support of the patentability of claims 9-10. Claim 9 recites in part “said plurality of computers are arranged in a logical tree style hierarchy”. At most, *Wheeler* disclose a hierarchical structure of data within a data entity, such as a record in a database, not a hierarchical structure as to the computers, as positively recited in claim 9.

Claim 10 recites “wherein said original data in said storage databases comprises information relating to at least one of systems, disks, networks, application programs, and users associated with a respective one of said plurality of computers.” *Wheeler* does not disclose that the content of the databases includes any of the recited items. This is not surprising, since *Wheeler* is not concerned with the content of databases, but rather deals with comparing disparate database structures and arriving at a suitable mapping scheme therebetween. The citations made in the Office Action at most describe specifications of the computer software and hardware needed to implement the system in *Wheeler*—these citations do not fairly teach the *content* of the data in the databases.

Claim 19 includes certain of the same or substantially similar recitations, in apparatus form, as discussed above in connection with claim 1 (“a first database configured to store original data related to a first computer,” “index data comprising at least connection information of said first database ... said connection information in said index data to facilitate access to said first database”). Therefore, for at least the same reasons set forth above in connection with claim 1, Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 19.

Claims 20-21, 23, 28 and 30 depend from claim 19, either directly or indirectly, and therefore contain of the limitations thereof. Thus, for at least the same reasons set forth above in connection with claim 19, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 20-21, 23, 28 and 30.

Applicant provides the following additional reasons in support of patentability. Claim 20 recites in part “a data collection agent for acquiring and storing said original data in said first database.”. The recited “original data” is data *related to the first computer* (as

recited in claim 19). *Wheeler* does not disclose any structure for acquiring and storing original data at all, but rather teaches how to compare the structure of two databases with a view of improving the query capability of the two databases. *Wheeler* assumes the databases are already populated with data. It is therefore not surprising that *Wheeler* does not disclose any structure or mechanism for acquiring and storing original data to satisfy this recitation.

Claim 23 recites in part that the original data relates to one of “a system, a disk, a network interface, an application program and a user associated with said first computer.” *Wheeler* does not disclose that the content of the databases includes any of the recited items. This is not surprising, since *Wheeler* is not concerned with the content of databases, but rather deals with comparing disparate database structures and arriving at a suitable mapping scheme therebetween. The citations made in the Office Action at most describe specifications of the computer software and hardware needed to implement the system in *Wheeler*—these citations do not fairly teach the **content** of the data in the databases.

Claim 28 recites in part “statistical information regarding such use of said application programs.” *Wheeler* does not satisfy this limitation. The passage in *Wheeler* cited in the Office Action does not mention “statistical information regarding such use of said application programs” and in fact, relates only to a disclosure of how one may implement the system of *Wheeler* in software on a computer system.

Claim 30 recites in part that the “application tables ...are condensed and transmitted, level-by-level, to databases upstream in the said hierarchy.” At most, *Wheeler* disclose a hierarchical structure of data within a data entity, such as a record in a database, **not** a hierarchical structure as to the computers, as positively recited. Moreover, *Wheeler* does not disclose any condensing operation of data within a hierarchy, much less the movement of data from a lower level to a higher level (*i.e.*, as recited, “transmitted, level-by-level, to databases upstream in said hierarchy”).

For at least the foregoing reasons, Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 1, 4-10, 19-21, 23, 28 and 30.

3. Claim Rejection Under 35 U.S.C. § 103

Claim 22 stands rejected under 35 USC 103(a) as being unpatentable over *Wheeler* in view of *Hobbs* (US Patent No. 5,987,454). Applicant respectfully traverses this rejection.

Claim 22 depends indirectly from claim 19 and thus includes all the limitations thereof. Thus, there are certain limitations that are not satisfied by *Wheeler*, as set forth above in connection with claim 19. Accordingly, even were it proper to combine *Wheeler* and *Hobbs* (which it is not as set forth more specifically below), not all of the limitations of claim 22 would be satisfied.

As to the propriety of the combination itself, the Office has stated that it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified *Wheeler* with the teaching of *Hobbs* because such a combination “would enable the apparatus to retrieve, wherein optimum record is retrieved from a database.” Applicant respectfully submits that inasmuch as *Wheeler* does not disclose a hierarchy of computers, there would be no need (and thus no advantage or benefit) to including the client-server teaching of *Hobbs*, as would be required under the law to support such a combination.

Accordingly, for at least these additional reasons, Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of claim 22.

4. Claim Rejection Under 35 U.S.C. § 103

Claims 24-26 stand rejected under 35 USC 103(a) as being unpatentable over *Wheeler* in view of *Perkins, III* (US Pat. 6,396,913). Applicant respectfully traverses this rejection.

Claims 24-26 depend from, either directly or indirectly, claim 19 and thus include all the limitations thereof. Thus, there are certain limitations that are not satisfied by *Wheeler*, as set forth above, in connection with claim 19. Accordingly, even were it proper to combine *Wheeler* and *Perkins, III* (which it is not as set forth more specifically below), not all of the limitations of claims 24-26 would be satisfied.

As to the propriety of the combination itself, the Office has stated that it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified *Wheeler* by the teaching of *Perkins, III* because such a combination “would enable the apparatus to know which records apply to them and it is updated to indicated that new file is ready for processing.” While this states the result itself of the combination

- proposed by the Office, *Wheeler* is not concerned at all with content of databases but rather their structure, much less with the particular content in the databases "related to the computer", far much less the particular content relating to the computers and directed to the application programs that are executing on computers in the hierarchy, as claimed. Accordingly, there would be no incentive or motivation, from the point of view of one of ordinary skill in the art to modify *Wheeler*, which does not deal with the content of databases, with *Perkins, III*, which does deal with application processing. For at least these reasons, Applicant respectfully requests reconsideration and withdrawal of the obviousness rejection of claims 24-26.

5. **Allowable Subject Matter**

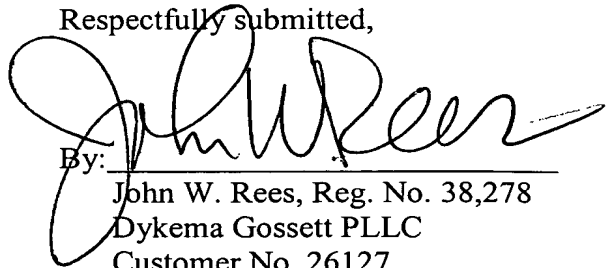
- Applicant appreciates the indication that claims 2-3, 11-18, 27 and 29 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant has done this with respect to claims 2, 11 and 27, and Applicant now believes these claims are in condition for allowance. Claims 3, 12-18 and 29 are also now believed to be in a condition for allowance by virtue of their dependency on the now rewritten claims 2, 11 and 27.

6. **Conclusion**

For the foregoing reasons, all presently pending claims are now believed to be in a condition for allowance. Early notice of the same is hereby respectfully requested.

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Respectfully submitted,



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